

INCLUDING ADDENDUM # 42.

CITY COUNCIL
CITY OF WICHITA
K A N S A S

City Council Meeting
April 1, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- NCCJ Recognition of Building Bridges Program
- Wichita's Promise – Youth Service Awards
- MuniNet Web Site Award
- Outstanding Citizens of Wichita - Dr. D. Cramer and Geney Reed
- Proclamations
- Distinguished Service Citations

UNFINISHED BUSINESS

1. Fire Station Disposal.
(Continued from March 18, 2003)

RECOMMENDED ACTION: Approve of the property disposition.

2. DR2003-00009 – Delano Neighborhood Overlay District and Design Guidelines – East of Meridian, West of the Arkansas River, North of Kellogg, and South of Central. (Districts IV and VI)
(Continued from November 5, 2002)

RECOMMENDED ACTION: Approve first reading of the Ordinance and adopt the Delano Neighborhood Design Guidelines
Dated April 1, 2003.

3. Acquisition of a Portion of 2920 North West Street. District V)
(Continued from October 8, 2002)

The Ten-Year Capital Improvements Program provides for the construction of a bridge over the Valley Center Floodway. Two preferred sites were deemed to be most feasible. The decision was that a priority location would be at 25th Street, with 13th Street being a lower priority. A corridor for right of way acquisition was identified. The proposed acquisition is for a part of the property on North West Street. This item was deferred by the Council in October, 2002.

RECOMMENDED ACTION: Approve or reject the acquisition of this right of way.

3A. Public Hearing on Proposed Assessments for Paving Projects in Bond Sale Series 774, July 2003.
(Continued from March 18, 2003)

Agenda Report No. 03-0257A

- a) (472-83113\765700\490-811) - Improving 34th Street North to serve Ridge Port North Addition.
- b) (472-83275\765657\490-768) - Improving 34th Street North, Hazelwood, Ridge Port, 34th Court North, Hazelwood Court, and sidewalk along one side of 34th Street North and Ridge Port to serve Ridge Port North 3rd Addition and Ridge Port North Addition.

RECOMMENDED ACTION: Close the public hearing; approve the proposed assessments and first reading of the Ordinances.

NEW BUSINESS

4. Perimeter Road along the North Boundary of Newman University – 350 Feet West of Sheridan to K-42 Highway.
(District IV)

The proposed project would reroute McCormick Avenue to the north perimeter of the Newman University Campus. The design cost to implement this project will be funded by the University.

RECOMMENDED ACTION: Approve the design project and first reading of the Ordinance; authorize selection of a design engineer.

(9:30 a.m., or soon thereafter)

5. Public Hearing on Proposed Assessments for Water, Sewer, and Storm Water Projects in the July 2003 Bond Sales, Series 744.

Notice of hearing has been published and property owners have been notified (in writing) of today's public hearing.

RECOMMENDED ACTION: Close the public hearing; approve the proposed assessments and first reading of the Ordinances

6. Central Avenue Improvement – Woodlawn to Rock Road. (District II)

The 2002-2011 Capital Improvement Program includes a project to improve Central, between Woodlawn and Rock Road.

RECOMMENDED ACTION: Select a design concept.

7. Comprehensive Compliance Report.

The Comprehensive Compliance Report provides analysis of the current status of Industrial Revenue Bond financing, Economic Development Tax Exemptions, CDBG loans and grants, and HOME funding, relative to participating businesses and agencies for years 1994 through 2002.

RECOMMENDED ACTION: Receive and file the Report.

8. Special Events Policy.

A revision in the City's Special Events Policy has been proposed to designate certain locations for large events where traffic, noise and public safety are of concern. A number of sites have been suggested that are outside of residential areas more suitable for large events.

RECOMMENDED ACTION: Designate sites suitable for public events involving crowds, noise and traffic issues.

9. Metropolitan Planning Organization Designation (MPO).

The 2002 Census expanded the Wichita Urbanized Area (WUA) to include Andover (Butler County) and Mulvane (Sumner County). Federal requirements necessitate a revision in membership of the MPO. A revised membership and expanded membership is proposed.

RECOMMENDED ACTION: Approve recommended proposal for membership composition.

10. Student Scholarships – Kansas Technical Training Institute.

The Kansas Technical Training Institute is a non-profit private-public partnership focusing on re-training of dislocated workers for skilled aviation-related workers. The City and County have been requested to participate in this program by providing funding to offset costs for tuition of laid-off workers to start the retraining program.

RECOMMENDED ACTION: Approve the allocation of funds in partnership with the State and County.

11. Century Plaza Parking Request.

The owner of Century Plaza Office building is in need of relief parking to serve the tenants. A proposal has been received to lease parking adjacent to his building on public-owned land.

RECOMMENDED ACTION: Approve request and authorize parking,
subject to negotiation of lease agreement.

CITY COUNCIL AGENDA

12. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

12A. Proposed Revisions to the East Bank Development Agreement. (Requested by Council Member Carl Brewer)

RECOMMENDED ACTION: Take appropriate action.

CONSENT AGENDA

13. Report of the Board of Bids and Contracts Dated March 31, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

14. Application for Licenses for Adult Entertainment Establishments/Services:

New Owner Escort Service:

Vicki Maness	Babes	304 South Laura
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RECOMMENDED ACTION: Approve license subject to Staff review and approval.

14A. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
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Dzung Banh	KC Gas & Groceries #3	1955 South Washington
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(Item 14A continued)

<u>New Operator</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
James D. Crowder	Tropics Lounge*	2705 North Broadway

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

15. Preliminary Estimates:

- a) Water distribution system to serve The Executive at White Tail Addition - south of 13th Street North, east of K-96. (448-89726/735109/470789) Does not affect existing traffic. (District II) - \$63,000
- b) Water distribution system to serve Shadow Ridge Addition - north of 31st Street South, east of Hillside. (448-89759/735112/470782) Does not affect existing traffic. (District III) - \$37,000
- c) Water distribution system to serve Remington Place Second Addition - south of 21st Street North, east of Webb. (448-89763/735118/470788) Does not affect existing traffic. (District II) - \$30,200
- d) Storm Water Sewer #576 to serve The Executive at White Tail Addition - south of 13th Street North, east of K-96. (468-83522/751331/485222) Does not affect existing traffic. (District II) - \$23,000
- e) Lateral 157 War Industry Sewer to serve Shadow Ridge Addition - north of 31st Street South, east of Hillside. (468-83556/743975/480663) Does not affect existing traffic. (District III) - \$51,000
- f) Lateral 41, Main 24 War Industry Sewer to serve Remington Place Second Addition - south of 21st Street North, east of Webb. (468-83554/743978/480666) Does not affect existing traffic. (District II) - \$55,000
- g) Eagles Landing from the southwesterly line of Lot 19, Block C, south to the west line of Willow Point; on Willow Point from the west line of Eagles Landing, west to the west line of the plat; and on Willow Point from the west line of Eagles Landing, east to the west line of Dellrose Circle to serve Eagles Landing at North Oliver Second Addition - south of 45th Street North, west of Oliver. (472-83465/765781/490892) Does not affect existing traffic. (District I) - \$529,000
- h) Woodcreek, from the east line of Rosewood to the east line of Whispering Lakes Estates Addition; Rosewood, from the east line of Brookhaven to the west line of 159th Street East; Rosewood Court (Lots 9-16, Block 1) from the north line of Rosewood to and including cul-de-sac; and Rosewood Court (Lots 1-8, Block 1) from the north line of Rosewood to and including cul-de-sac to serve Whispering Lakes Estates - south of Harry, east of 143rd Street East. (472-83668/765765/490876) Does not affect existing traffic. (District II) - \$437,090
- i) Lateral 339 Four Mile Creek Sewer to serve The Executive at White Tail - south of 13th Street North, east of K-96. (468-83523/743973/480661) Does not affect traffic. (District II) \$23,000.00

RECOMMENDED ACTION: Approve and file.

16. Petitions for Public Improvements:

- a) Sanitary sewer to serve Sierra Hills and Equestrian Estates Additions – east of 127th Street East, north of Pawnee. (District II)

(Item 16 continued)

- b) Storm water drain to serve Thunderbird Office Park Addition – south of Maple, west of 119th Street West. (District V)
- c) Sanitary sewer to serve Whispering Lakes Estates Addition – south of Harry, east of 143rd Street East. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

17. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

18. Agreements/Contracts:

- a) KDOT right-of-way use for Wichita Skate Park.
- b) Ark River Study – Phase II Supplemental.
- c) Supplemental for sanitary sewer and water improvements to serve an area west of Maize Road, north of 29th Street North. (District V)
- d) Construction engineering and staking for Hawthorne Addition – north of 21st, east of 127th Street East. (District V)
- e) Construction engineering for the Landscaping along 21st Street from 119th Street West to Maize Road - supplemental. (District V)
- f) Homeownership training amendment.
- g) Professional services supplement – Gilbert and Mosley Project.
- h) Grant amendment – homeless assistance.
- i) EPA special infrastructure grant agreement.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

19. Design Services Agreements:

- a) Forest Lakes West – north of 29th, east of Tyler. (District V)
- b) Eagles Landing at North Oliver Second Addition – south of 45th Street North, west of Oliver. (District I)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

19A. 29th Street North Improvement - Rock to Webb. (District II)

RECOMMENDED ACTION: Approve the transfer of funds and the project;
place the amending Ordinance on first reading.

20. Amendment to Hyatt Management Agreement.

RECOMMENDED ACTION: Approve the Memorandum of Agreement.

21. Adult Care Home Inspection Grant Application.

RECOMMENDED ACTION: Approve the Grant application and receipt
of funds; authorize necessary signatures.

22. Consolidated Plan – 2003/2004 One-Year Action Plan.

RECOMMENDED ACTION: Approve reallocation of prior-year funds and
the proposed 2003/2004 One-Year Action Plan
as amendment to City's Consolidated Plan;
authorize implementation of the public comment period.

23. City Hall First Floor Remodel.

RECOMMENDED ACTION: Approve payment for services rendered.

24. Sales Tax Liability Adjustment.

RECOMMENDED ACTION: Approve payment of outstanding tax liability;
authorize request of waiver of interest and penalties,
and the budget adjustment.

25. Acquisition by Eminent Domain – 137 North Hillside.

RECOMMENDED ACTION: Adopt the Resolution; approve first reading
of the Ordinance.

26. Public Exigency Project – Sanitary Sewer Repairs. (District II)

RECOMMENDED ACTION: Affirm exigency approval.

27. Request for Proposals for Air Permit for Brooks Landfill Site. (District VI)

RECOMMENDED ACTION: Direct issuance of Request for Proposals
with a proposed Agreement to be returned
for City Council approval.

28. Purchase of Mail Machine.

RECOMMENDED ACTION: Approve the purchase; authorize the necessary signatures.

29. Sale of Surplus Property:

- a) 1251 North Broadway. (District VI)
- b) Southeast corner of Baehr and Central remnant. (District IV)
- c) Surplus parcel at 31st Street South and the Turnpike (District III)

RECOMMENDED ACTION: Approve sale and Contracts; authorize necessary signatures.

30. Resolution for Star Bonds – Waterwalk Redevelopment Project.

RECOMMENDED ACTION: Adopt the Resolution.

31. Second Reading Ordinances: (First read March 25, 2003)

- a) Purchasing and budget adjustment limits.

An Ordinance amending Sections 2.64.010 and 2.64.020 of the Code of the City of Wichita, Kansas, pertaining to the purchasing policy of the City of Wichita, and repealing the originals of said sections.

- b) Fee adjustments –account origination fees.

An Ordinance amending Section 17.12.090 of the Code of the City of Wichita, Kansas, pertaining to schedule of rates and charges for water service, and repealing the original of said Section.

Second Reading Paving Ordinances. (First read March 18, 2003)

- a) (472-83114\765689\490-800)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving 37th Street North to serve Ridge Port North Addition.

- b) (472-83113\765700\490-811) – Deferred (Note: On today's unfinished business)

- c) (472-83143\765709\490-820)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Highland Springs, Remington Lane, Bluegrass, Highland Springs Courts, Remington Lane Court, Bluegrass court and sidewalks to serve Highland Springs Second Addition.

- d) (472-83180\765615\490-726)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Edwards to serve Northwest Heights Addition.

- e) 472-83235\765691\490-802)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Parkridge, Ryan Ryan Place, Ryan Courts, Parkridge Court, and sidewalk to serve West Ridge Estates.

- f) (472-83245\765704\490-815)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Churchill Circle, Churchill Court to serve Wilson Farms Second Addition.

- g) (472-83275\765657\490-768) - Deferred (Note: On today's unfinished business)

- h) (472-83317\765674\490-785)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Mead to serve Smithmoor 10th Addition.

- i) (472-83329\765690\490-801)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving decel & left turn lanes on Woodlawn & 37th Street North to serve Whispering Brook Commercial Second Addition.

- j) (472-83359\765681\490-792)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Covington, Covington CT to serve the Lochs at Aberdeen, Aberdeen Third Addition. and Evangel Assembly of God Addition.

- k) (472-83375\765698\490-809)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving 19th Street North, Churchill, Frederic/Red Oaks, sidewalk to serve Remington Place.

- l) 472-83381\765685\490-796)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Carr to serve an unplatted tracts in northeast quarter, Section 31, TWP27S, R1W.

- m) 472-83410\765734\490-845)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Sandplum Circle, Sandplum Court, Sandplum Circle and cul-de-sac to serve Ridge Port North Third Addition.

n) (472-83417\765694\490-805)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Onewood, Dogleg, Onewood CT and sidewalk to serve Auburn Hills 13th Addition.

o) (472-83421\765696\490-807)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving north-south alley west of Santa Fe to serve J.P. Hilton's Addition.

p) (472-83422\765703\490-814)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Richmond Circle to serve Legacy Second Addition.

q) (472-83424\765705\490-816)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Triple Crown, Buckskin, Buckskin CT, Triple Crown CT, Stampede and sidewalk to serve Equestrian Estates.

r) (472-83440\765707\490-818)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving St Paul, 43rd Street South, St Paul Circle, 43rd Street Court South and sidewalk to serve the Legacy Addition.

s) (472-83448\765710\490-821)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Pine Meadow, Bedford Street, Bedford Circle, Bedford Courts and sidewalk to serve Pine Meadow Second Addition.

t) (472-83449\765711\490-822)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Pine Meadow and sidewalks to serve Pine Meadow Addition. and Pine Meadow Second Addition.

u) (472-83498\765724\490-835)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, of paying a portion of the cost of improving Funston, Pierce Circle, Leanne Lane and cul-de-sac to serve Smithmoor 10th Addition.

RECOMMENDED ACTION: Adopt Ordinances.

32. First Reading Ordinance:

- a) Special Assessments for weed mowing.

An Ordinance making a special assessment to pay for the cost of cutting weeds in the City of Wichita, Kansas.

RECOMMENDED ACTION: Approve first reading of Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

- *33. SUB2002-130 – Plat of Subway Addition – South of Harry, East Side of Webb Road. (District II)

RECOMMENDED ACTION: Approve the documents and Plat; authorize necessary signatures.

- *34. ZON2003-00004 – Zone Change from Single-Family Residential to Two-Family Residential – West of Hoover, North of Elm. (District VI)

RECOMMENDED ACTION: Approve the zone change subject to platting within one-year and conditions, the Ordinance to be forwarded to the Council when the Plat is forwarded for approval.

- *35. ZON2003-00005 – Zone Change from Multi-Family Residential to General Commercial – Southwest of Kellogg and Market. (District I)

RECOMMENDED ACTION: Approve the zone change, and first reading of the Ordinance.

- *36. ZON2003-00006 – Zone Change from Multi-Family Residential to Limited Industrial – Southeast Corner of Douglas and Minneapolis Avenues. (District I)

RECOMMENDED ACTION: Approve the zone change subject to the Protective Overlay; the Ordinance to be forwarded to the Council when the Plat is forwarded for approval.

37. PUD2003-01 – PUD No. 16 – Rusty Eck Ford Planned Unit Development for Relocation of a Vehicle Sales Business in Conjunction with the Kellogg Freeway Project – Northwest Corner of Kellogg and Armour.
(District II)

RECOMMENDED ACTION: Approve the PUD, subject to condition of platting within one-year and to recommended conditions; the Ordinance to be forwarded to the Council when the Plat is forwarded for approval.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

38. Street Side Pavement Rehabilitation.

RECOMMENDED ACTION: Approve the Project; adopt the Resolution; authorize solicitation of bids.

39. Administration Building HVAC Improvements.

RECOMMENDED ACTION: Approve the Contract; authorize necessary signatures.

40. Revised Schedule of Fees and Charges.

RECOMMENDED ACTION: Approve the revised schedule; adopt the Resolution.

41. Enterprise Rent A Car and Thrifty Rental Car of Wichita.

RECOMMENDED ACTION: Approve Agreements; authorize necessary signatures.

(Addendum)

42. Property Acquisition – 132 North Mosley.

RECOMMENDED ACTION: Approve the purchase option; adopt the Resolution.

Adjournment